



Senate

General Assembly

File No. 491

January Session, 2015

Substitute Senate Bill No. 936

Senate, April 7, 2015

The Committee on Transportation reported through SEN. MAYNARD of the 18th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES'
RECOMMENDATIONS WITH RESPECT TO AUTOCYCLES AND
THREE-WHEELED MOTORCYCLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-1 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 Terms used in this chapter shall be construed as follows, unless
4 another construction is clearly apparent from the language or context
5 in which the term is used or unless the construction is inconsistent
6 with the manifest intention of the General Assembly:

7 (1) "Activity vehicle" means a student transportation vehicle that is
8 used to transport students in connection with school-sponsored events
9 and activities, but is not used to transport students to and from school;

10 (2) "Agricultural tractor" means a tractor or other form of
11 nonmuscular motive power used for transporting, hauling, plowing,
12 cultivating, planting, harvesting, reaping or other agricultural

13 purposes on any farm or other private property, or used for the
14 purpose of transporting, from one farm to another, agricultural
15 implements and farm products, provided the agricultural tractor is not
16 used on any highway for transporting a pay load or for some other
17 commercial purpose;

18 (3) "Antique, rare or special interest motor vehicle" means a motor
19 vehicle twenty years old or older which is being preserved because of
20 historic interest and which is not altered or modified from the original
21 manufacturer's specifications;

22 (4) "Apparent candle power" means an illumination equal to the
23 normal illumination in foot candles produced by any lamp or lamps,
24 divided by the square of the distance in feet between the lamp or
25 lamps and the point at which the measurement is made;

26 (5) "Authorized emergency vehicle" means (A) a fire department
27 vehicle, (B) a police vehicle, or (C) a public service company or
28 municipal department ambulance or emergency vehicle designated or
29 authorized for use as an authorized emergency vehicle by the
30 commissioner;

31 (6) "Autocycle" means a motor vehicle that meets the requirements
32 of a motorcycle under 49 CFR Part 571, and (A) does not have more
33 than three wheels in contact with the ground, (B) is designed to be
34 controlled with a steering wheel and foot pedals for acceleration,
35 braking or shifting, (C) has a seat or seats that are fully or partially
36 enclosed and in which the occupants sit with their legs forward, and
37 (D) is equipped with safety belts, in accordance with section 14-100a,
38 for all occupants;

39 [(6)] (7) "Auxiliary driving lamp" means an additional lighting
40 device on a motor vehicle used primarily to supplement the general
41 illumination in front of a motor vehicle provided by the motor
42 vehicle's head lamps;

43 [(7)] (8) "Bulb" means a light source consisting of a glass bulb

44 containing a filament or substance capable of being electrically
45 maintained at incandescence;

46 [(8)] (9) "Camp trailer" includes any trailer designed for living or
47 sleeping purposes and used exclusively for camping or recreational
48 purposes;

49 [(9)] (10) "Camp trailer registration" means the type of registration
50 issued to any trailer that is for nonbusiness use and is limited to camp
51 trailers and utility trailers;

52 [(10)] (11) "Camp vehicle" means any motor vehicle that is regularly
53 used to transport persons under eighteen years of age in connection
54 with the activities of any youth camp, as defined in section 19a-420;

55 [(11)] (12) "Camper" means any motor vehicle designed or
56 permanently altered in such a way as to provide temporary living
57 quarters for travel, camping or recreational purposes;

58 [(12)] (13) "Combination registration" means the type of registration
59 issued to a motor vehicle used for both private passenger and
60 commercial purposes if such vehicle does not have a gross vehicle
61 weight rating in excess of twelve thousand five hundred pounds;

62 [(13)] (14) "Commercial driver's license" or "CDL" means a license
63 issued to an individual in accordance with the provisions of sections
64 14-44a to 14-44m, inclusive, which authorizes such individual to drive
65 a commercial motor vehicle;

66 [(14)] (15) "Commercial driver's license information system" or
67 "CDLIS" means the national database of holders of commercial driver's
68 licenses established by the Federal Motor Carrier Safety
69 Administration pursuant to Section 12007 of the Commercial Motor
70 Vehicle Safety Act of 1986;

71 [(15)] (16) "Commercial motor vehicle" means a vehicle designed or
72 used to transport passengers or property, except a vehicle used for
73 farming purposes in accordance with 49 CFR 383.3(d), fire fighting

74 apparatus or an emergency vehicle, as defined in section 14-283, or a
75 recreational vehicle in private use, which (A) has a gross vehicle
76 weight rating of twenty-six thousand and one pounds or more, or a
77 gross combination weight rating of twenty-six thousand and one
78 pounds or more, inclusive of a towed unit or units with a gross vehicle
79 weight rating of more than ten thousand pounds; (B) is designed to
80 transport sixteen or more passengers, including the driver, or is
81 designed to transport more than ten passengers, including the driver,
82 and is used to transport students under the age of twenty-one years to
83 and from school; or (C) is transporting hazardous materials and is
84 required to be placarded in accordance with 49 CFR 172, Subpart F, as
85 amended, or any quantity of a material listed as a select agent or toxin
86 in 42 CFR Part 73;

87 [(16)] (17) "Commercial registration" means the type of registration
88 required for any motor vehicle designed or used to transport
89 merchandise, freight or persons in connection with any business
90 enterprise, unless a more specific type of registration is authorized and
91 issued by the commissioner for such class of vehicle;

92 [(17)] (18) "Commercial trailer" means a trailer used in the conduct
93 of a business to transport freight, materials or equipment whether or
94 not permanently affixed to the bed of the trailer;

95 [(18)] (19) "Commercial trailer registration" means the type of
96 registration issued to any commercial trailer;

97 [(19)] (20) "Commissioner" includes the Commissioner of Motor
98 Vehicles and any assistant to the Commissioner of Motor Vehicles who
99 is designated and authorized by, and who is acting for, the
100 Commissioner of Motor Vehicles under a designation; except that the
101 deputy commissioners of motor vehicles and the Attorney General are
102 deemed, unless the Commissioner of Motor Vehicles otherwise
103 provides, to be designated and authorized by, and acting for, the
104 Commissioner of Motor Vehicles under a designation;

105 [(20)] (21) "Controlled substance" has the same meaning as in section

106 21a-240 and the federal laws and regulations incorporated in chapter
107 420b;

108 [(21)] (22) "Conviction" means an unvacated adjudication of guilt, or
109 a determination that a person has violated or failed to comply with the
110 law in a court of original jurisdiction or an authorized administrative
111 tribunal, an unvacated forfeiture of bail or collateral deposited to
112 secure the person's appearance in court, the payment of a fine or court
113 cost, or violation of a condition of release without bail, regardless of
114 whether or not the penalty is rebated, suspended or probated;

115 [(22)] (23) "Dealer" includes any person actively engaged in buying,
116 selling or exchanging motor vehicles or trailers who has an established
117 place of business in this state and who may, incidental to such
118 business, repair motor vehicles or trailers, or cause them to be repaired
119 by persons in his or her employ;

120 [(23)] (24) "Disqualification" means a withdrawal of the privilege to
121 drive a commercial motor vehicle, which occurs as a result of (A) any
122 suspension, revocation, or cancellation by the commissioner of the
123 privilege to operate a motor vehicle; (B) a determination by the Federal
124 Highway Administration, under the rules of practice for motor carrier
125 safety contained in 49 CFR 386, as amended, that a person is no longer
126 qualified to operate a commercial motor vehicle under the standards of
127 49 CFR 391, as amended; or (C) the loss of qualification which follows
128 any of the convictions or administrative actions specified in section 14-
129 44k;

130 [(24)] (25) "Drive" means to drive, operate or be in physical control
131 of a motor vehicle, including a motor vehicle being towed by another;

132 [(25)] (26) "Driver" means any person who drives, operates or is in
133 physical control of a commercial motor vehicle, or who is required to
134 hold a commercial driver's license;

135 [(26)] (27) "Driver's license" or "operator's license" means a valid
136 Connecticut motor vehicle operator's license or a license issued by

137 another state or foreign jurisdiction authorizing the holder thereof to
138 operate a motor vehicle on the highways;

139 [(27)] (28) "Employee" means any operator of a commercial motor
140 vehicle, including full-time, regularly employed drivers, casual,
141 intermittent or occasional drivers, drivers under contract and
142 independent owner-operator contractors, who, while in the course of
143 operating a commercial motor vehicle, are either directly employed by,
144 or are under contract to, an employer;

145 [(28)] (29) "Employer" means any person, including the United
146 States, a state or any political subdivision thereof, who owns or leases
147 a commercial motor vehicle, or assigns a person to drive a commercial
148 motor vehicle;

149 [(29)] (30) "Farm implement" means a vehicle designed and adapted
150 exclusively for agricultural, horticultural or livestock-raising
151 operations and which is not operated on a highway for transporting a
152 pay load or for any other commercial purpose;

153 [(30)] (31) "Felony" means any offense as defined in section 53a-25
154 and includes any offense designated as a felony under federal law;

155 [(31)] (32) "Fatality" means the death of a person as a result of a
156 motor vehicle accident;

157 [(32)] (33) "Foreign jurisdiction" means any jurisdiction other than a
158 state of the United States;

159 [(33)] (34) "Fuels" means (A) all products commonly or
160 commercially known or sold as gasoline, including casinghead and
161 absorption or natural gasoline, regardless of their classification or uses,
162 (B) any liquid prepared, advertised, offered for sale or sold for use, or
163 commonly and commercially used, as a fuel in internal combustion
164 engines, which, when subjected to distillation in accordance with the
165 standard method of test for distillation of gasoline, naphtha, kerosene
166 and similar petroleum products by "American Society for Testing
167 Materials Method D-86", shows not less than ten per cent distilled

168 (recovered) below 347° Fahrenheit (175° Centigrade) and not less than
169 ninety-five per cent distilled (recovered) below 464° Fahrenheit (240°
170 Centigrade); provided the term "fuels" shall not include commercial
171 solvents or naphthas which distill, by "American Society for Testing
172 Materials Method D-86", not more than nine per cent at 176°
173 Fahrenheit and which have a distillation range of 150° Fahrenheit, or
174 less, or liquefied gases which would not exist as liquids at a
175 temperature of 60° Fahrenheit and a pressure of 14.7 pounds per
176 square inch absolute, and (C) any liquid commonly referred to as
177 "gasohol" which is prepared, advertised, offered for sale or sold for
178 use, or commonly and commercially used, as a fuel in internal
179 combustion engines, consisting of a blend of gasoline and a minimum
180 of ten per cent by volume of ethyl or methyl alcohol;

181 [(34)] (35) "Garage" includes every place of business where motor
182 vehicles are, for compensation, received for housing, storage or repair;

183 [(35)] (36) "Gross vehicle weight rating" or "GVWR" means the value
184 specified by the manufacturer as the maximum loaded weight of a
185 single or a combination (articulated) vehicle. The GVWR of a
186 combination (articulated) vehicle commonly referred to as the "gross
187 combination weight rating" or GCWR is the GVWR of the power unit
188 plus the GVWR of the towed unit or units;

189 [(36)] (37) "Gross weight" means the light weight of a vehicle plus
190 the weight of any load on the vehicle, provided, in the case of a tractor-
191 trailer unit, "gross weight" means the light weight of the tractor plus
192 the light weight of the trailer or semitrailer plus the weight of the load
193 on the vehicle;

194 [(37)] (38) "Hazardous materials" has the same meaning as in 49 CFR
195 383.5;

196 [(38)] (39) "Head lamp" means a lighting device affixed to the front
197 of a motor vehicle projecting a high intensity beam which lights the
198 road in front of the vehicle so that it can proceed safely during the
199 hours of darkness;

200 [(39)] (40) "High-mileage vehicle" means a motor vehicle having the
201 following characteristics: (A) Not less than three wheels in contact with
202 the ground; (B) a completely enclosed seat on which the driver sits; (C)
203 a single or two cylinder, gasoline or diesel engine or an electric-
204 powered engine; and (D) efficient fuel consumption;

205 [(40)] (41) "Highway" includes any state or other public highway,
206 road, street, avenue, alley, driveway, parkway, place or dedicated
207 roadway for bus rapid transit service, under the control of the state or
208 any political subdivision of the state, dedicated, appropriated or
209 opened to public travel or other use;

210 [(41)] (42) "Imminent hazard" means the existence of a condition that
211 presents a substantial likelihood that death, serious illness, severe
212 personal injury or a substantial endangerment to health, property, or
213 the environment may occur before the reasonably foreseeable
214 completion date of a formal proceeding begun to lessen the risk of that
215 death, illness, injury or endangerment;

216 [(42)] (43) "Intersecting highway" includes any public highway
217 which joins another at an angle whether or not it crosses the other;

218 [(43)] (44) "Light weight" means the weight of an unloaded motor
219 vehicle as ordinarily equipped and ready for use, exclusive of the
220 weight of the operator of the motor vehicle;

221 [(44)] (45) "Limited access highway" means a state highway so
222 designated under the provisions of section 13b-27;

223 [(45)] (46) "Local authorities" includes the board of aldermen,
224 common council, chief of police, warden and burgesses, board of
225 selectmen or other officials having authority for the enactment or
226 enforcement of traffic regulations within their respective towns, cities
227 or boroughs;

228 [(46)] (47) "Maintenance vehicle" means any vehicle in use by the
229 state or by any town, city, borough or district, any state bridge or
230 parkway authority or any public service company, as defined in

231 section 16-1, in the maintenance of public highways or bridges and
232 facilities located within the limits of public highways or bridges;

233 [(47)] (48) "Manufacturer" means (A) a person, whether a resident or
234 nonresident, engaged in the business of constructing or assembling
235 new motor vehicles of a type required to be registered by the
236 commissioner, for operation upon any highway, except a utility trailer,
237 which are offered for sale in this state, or (B) a person who distributes
238 new motor vehicles to new car dealers licensed in this state;

239 [(48)] (49) "Median divider" means an intervening space or physical
240 barrier or clearly indicated dividing section separating traffic lanes
241 provided for vehicles proceeding in opposite directions;

242 [(49)] (50) "Modified antique motor vehicle" means a motor vehicle
243 twenty years old or older which has been modified for safe road use,
244 including, but not limited to, modifications to the drive train,
245 suspension, braking system and safety or comfort apparatus;

246 [(50)] (51) "Motor bus" includes any motor vehicle, except a taxicab,
247 as defined in section 13b-95, operated in whole or in part on any street
248 or highway in a manner affording a means of transportation by
249 indiscriminately receiving or discharging passengers, or running on a
250 regular route or over any portion of a regular route or between fixed
251 termini;

252 [(51)] (52) "Motor home" means a vehicular unit designed to provide
253 living quarters and necessary amenities which are built into an integral
254 part of, or permanently attached to, a truck or van chassis;

255 [(52)] (53) "Motor-driven cycle" means any of the following vehicles
256 that have a seat height of not less than twenty-six inches and a motor
257 having a capacity of less than fifty cubic centimeters piston
258 displacement: (A) A motorcycle, other than an auticycle; (B) a motor
259 scooter; [I] or (C) a bicycle with attached motor; [with a seat height of
260 not less than twenty-six inches and a motor having a capacity of less
261 than fifty cubic centimeters piston displacement;]

262 [(53)] (54) "Motor vehicle" means any vehicle propelled or drawn by
263 any nonmuscular power, except aircraft, motor boats, road rollers,
264 baggage trucks used about railroad stations or other mass transit
265 facilities, electric battery-operated wheel chairs when operated by
266 physically handicapped persons at speeds not exceeding fifteen miles
267 per hour, golf carts operated on highways solely for the purpose of
268 crossing from one part of the golf course to another, golf-cart-type
269 vehicles operated on roads or highways on the grounds of state
270 institutions by state employees, agricultural tractors, farm implements,
271 such vehicles as run only on rails or tracks, self-propelled snow plows,
272 snow blowers and lawn mowers, when used for the purposes for
273 which they were designed and operated at speeds not exceeding four
274 miles per hour, whether or not the operator rides on or walks behind
275 such equipment, motor-driven cycles as defined in section 14-286, as
276 amended by this act, special mobile equipment as defined in section
277 14-165, mini-motorcycles, as defined in section 14-289j, and any other
278 vehicle not suitable for operation on a highway;

279 [(54)] (55) "Motorcycle" means (A) an auticycle, as defined in this
280 section, or (B) a motor vehicle, with or without a side car, [having] that
281 has (i) not more than three wheels in contact with the ground, [and] (ii)
282 a saddle or seat [on] which the rider [sits] straddles or a platform on
283 which the rider stands, [but] and (iii) handlebars with which the rider
284 controls the movement of the vehicle. "Motorcycle" does not include a
285 motor-driven cycle, as defined in this section; [, or a vehicle having or
286 designed to have a completely enclosed driver's seat and a motor
287 which is not in the enclosed area;]

288 [(55)] (56) "National Driver Registry" or "NDR" means the licensing
289 information system and database operated by the National Highway
290 Traffic Safety Administration and established pursuant to the National
291 Driver Registry Act of 1982, as amended;

292 [(56)] (57) "New motor vehicle" means a motor vehicle, the equitable
293 or legal title to which has never been transferred by a manufacturer,
294 distributor or dealer to an ultimate consumer;

295 [(57)] (58) "Nonresident" means any person whose legal residence is
296 in a state other than Connecticut or in a foreign country;

297 [(58)] (59) "Nonresident commercial driver's license" or "nonresident
298 CDL" means a commercial driver's license issued by a state to an
299 individual who resides in a foreign jurisdiction;

300 [(59)] (60) "Nonskid device" means any device applied to the tires,
301 wheels, axles or frame of a motor vehicle for the purpose of increasing
302 the traction of the motor vehicle;

303 [(60)] (61) "Number plate" means any sign or marker furnished by
304 the commissioner on which is displayed the registration number
305 assigned to a motor vehicle by the commissioner;

306 [(61)] (62) "Officer" includes any constable, state marshal, inspector
307 of motor vehicles, state policeman or other official authorized to make
308 arrests or to serve process, provided the officer is in uniform or
309 displays the officer's badge of office in a conspicuous place when
310 making an arrest;

311 [(62)] (63) "Operator" means any person who operates a motor
312 vehicle or who steers or directs the course of a motor vehicle being
313 towed by another motor vehicle and includes a driver as defined in
314 subdivision [(25)] (26) of this section;

315 [(63)] (64) "Out-of-service order" means an order (A) issued by a
316 person having inspection authority, as defined in regulations adopted
317 by the commissioner pursuant to section 14-163c, or by an authorized
318 official of the United States Department of Transportation Federal
319 Motor Carrier Safety Administration pursuant to any provision of
320 federal law, to prohibit any motor vehicle specified in subsection (a) of
321 section 14-163c from being operated on any highway, or to prohibit a
322 driver from operating any such motor vehicle, or (B) issued by the
323 United States Department of Transportation Federal Motor Carrier
324 Safety Administration, pursuant to any provision of federal law, to
325 prohibit any motor carrier, as defined in Section 386.2 of Title 49 of the

326 Code of Federal Regulations, from engaging in commercial motor
327 vehicle operations;

328 [(64)] (65) "Owner" means any person holding title to a motor
329 vehicle, or having the legal right to register the same, including
330 purchasers under conditional bills of sale;

331 [(65)] (66) "Parked vehicle" means a motor vehicle in a stationary
332 position within the limits of a public highway;

333 [(66)] (67) "Passenger and commercial motor vehicle" means a motor
334 vehicle used for private passenger and commercial purposes which is
335 eligible for combination registration;

336 [(67)] (68) "Passenger motor vehicle" means a motor vehicle used for
337 the private transportation of persons and their personal belongings,
338 designed to carry occupants in comfort and safety, with a capacity of
339 carrying not more than ten passengers including the operator thereof;

340 [(68)] (69) "Passenger registration" means the type of registration
341 issued to a passenger motor vehicle unless a more specific type of
342 registration is authorized and issued by the commissioner for such
343 class of vehicle;

344 [(69)] (70) "Person" includes any individual, corporation, limited
345 liability company, association, copartnership, company, firm, business
346 trust or other aggregation of individuals but does not include the state
347 or any political subdivision thereof, unless the context clearly states or
348 requires;

349 [(70)] (71) "Pick-up truck" means a motor vehicle with an enclosed
350 forward passenger compartment and an open rearward compartment
351 used for the transportation of property;

352 [(71)] (72) "Pneumatic tires" means tires inflated or inflatable with
353 air;

354 [(72)] (73) "Pole trailer" means a trailer which is (A) intended for

355 transporting long or irregularly shaped loads such as poles, logs, pipes
356 or structural members, which loads are capable of sustaining
357 themselves as beams between supporting connections, and (B)
358 designed to be drawn by a motor vehicle and attached or secured
359 directly to the motor vehicle by any means including a reach, pole or
360 boom;

361 [(73)] (74) "Recreational vehicle" includes the camper, camp trailer
362 and motor home classes of vehicles;

363 [(74)] (75) "Registration" includes the certificate of motor vehicle
364 registration and the number plate or plates used in connection with
365 such registration;

366 [(75)] (76) "Registration number" means the identifying number or
367 letters, or both, assigned by the commissioner to a motor vehicle;

368 [(76)] (77) "Resident", for the purpose of registering motor vehicles,
369 includes any person who is a legal resident of this state, as the
370 commissioner may presume from the fact that such person occupies a
371 place of dwelling in this state for more than six months in a year, or
372 any person, firm or corporation owning or leasing a motor vehicle
373 used or operated in intrastate business in this state, or a firm or
374 corporation having its principal office or place of business in this state;

375 [(77)] (78) "School bus" means any school bus, as defined in section
376 14-275, including a commercial motor vehicle used to transport
377 preschool, elementary school or secondary school students from home
378 to school, from school to home, or to and from school-sponsored
379 events, but does not include a bus used as a common carrier;

380 [(78)] (79) "Second" violation or "subsequent" violation means an
381 offense committed not more than three years after the date of an arrest
382 which resulted in a previous conviction for a violation of the same
383 statutory provision, except in the case of a violation of section 14-215
384 or 14-224 or subsection (a) of section 14-227a, "second" violation or
385 "subsequent" violation means an offense committed not more than ten

386 years after the date of an arrest which resulted in a previous conviction
387 for a violation of the same statutory provision;

388 [(79)] (80) "Semitrailer" means any trailer type vehicle designed and
389 used in conjunction with a motor vehicle so that some part of its own
390 weight and load rests on or is carried by another vehicle;

391 [(80)] (81) "Serious traffic violation" means a conviction of any of the
392 following offenses: (A) Excessive speeding, involving a single offense
393 in which the speed is fifteen miles per hour or more above the posted
394 speed limit, in violation of section 14-218a or 14-219; (B) reckless
395 driving in violation of section 14-222; (C) following too closely in
396 violation of section 14-240 or 14-240a; (D) improper or erratic lane
397 changes, in violation of section 14-236; (E) using a hand-held mobile
398 telephone or other electronic device or typing, reading or sending text
399 or a text message with or from a mobile telephone or mobile electronic
400 device in violation of subsection (e) of section 14-296aa while operating
401 a commercial motor vehicle; (F) driving a commercial motor vehicle
402 without a valid commercial driver's license in violation of section 14-
403 36a, as amended by this act, or 14-44a; (G) failure to carry a commercial
404 driver's license in violation of section 14-44a; (H) failure to have the
405 proper class of license or endorsement, or violation of a license
406 restriction in violation of section 14-44a; or (I) a violation of any
407 provision of chapter 248, by an operator who holds a commercial
408 driver's license or instruction permit that results in the death of
409 another person;

410 [(81)] (82) "Service bus" includes any vehicle except a vanpool
411 vehicle or a school bus designed and regularly used to carry ten or
412 more passengers when used in private service for the transportation of
413 persons without charge to the individual;

414 [(82)] (83) "Service car" means any motor vehicle used by a
415 manufacturer, dealer or repairer for emergency motor vehicle repairs
416 on the highways of this state, for towing or for the transportation of
417 necessary persons, tools and materials to and from the scene of such
418 emergency repairs or towing;

419 [(83)] (84) "Shoulder" means that portion of a highway immediately
420 adjacent and contiguous to the travel lanes or main traveled portion of
421 the roadway;

422 [(84)] (85) "Solid tires" means tires of rubber, or other elastic material
423 approved by the Commissioner of Transportation, which do not
424 depend on confined air for the support of the load;

425 [(85)] (86) "Spot lamp" or "spot light" means a lighting device
426 projecting a high intensity beam, the direction of which can be readily
427 controlled for special or emergency lighting as distinguished from
428 ordinary road illumination;

429 [(86)] (87) "State" means any state of the United States and the
430 District of Columbia unless the context indicates a more specific
431 reference to the state of Connecticut;

432 [(87)] (88) "Stop" means complete cessation of movement;

433 [(88)] (89) "Student" means any person under the age of twenty-one
434 years who is attending a preprimary, primary or secondary school
435 program of education;

436 [(89)] (90) "Tail lamp" means a lighting device affixed to the rear of a
437 motor vehicle showing a red light to the rear and indicating the
438 presence of the motor vehicle when viewed from behind;

439 [(90)] (91) "Tank vehicle" means any commercial motor vehicle
440 designed to transport any liquid or gaseous material within a tank that
441 is either permanently or temporarily attached to the vehicle or its
442 chassis which shall include, but not be limited to, a cargo tank and
443 portable tank, as defined in 49 CFR 383.5, as amended, provided it
444 shall not include a portable tank with a rated capacity not to exceed
445 one thousand gallons;

446 [(91)] (92) "Tractor" or "truck tractor" means a motor vehicle
447 designed and used for drawing a semitrailer;

448 [(92)] (93) "Tractor-trailer unit" means a combination of a tractor and
449 a trailer or a combination of a tractor and a semitrailer;

450 [(93)] (94) "Trailer" means any rubber-tired vehicle without motive
451 power drawn or propelled by a motor vehicle;

452 [(94)] (95) "Truck" means a motor vehicle designed, used or
453 maintained primarily for the transportation of property;

454 [(95)] (96) "Ultimate consumer" means, with respect to a motor
455 vehicle, the first person, other than a dealer, who in good faith
456 purchases the motor vehicle for purposes other than resale;

457 [(96)] (97) "United States" means the fifty states and the District of
458 Columbia;

459 [(97)] (98) "Used motor vehicle" includes any motor vehicle which
460 has been previously separately registered by an ultimate consumer;

461 [(98)] (99) "Utility trailer" means a trailer designed and used to
462 transport personal property, materials or equipment, whether or not
463 permanently affixed to the bed of the trailer;

464 [(99)] (100) "Vanpool vehicle" includes all motor vehicles, the
465 primary purpose of which is the daily transportation, on a prearranged
466 nonprofit basis, of individuals between home and work, and which:
467 (A) If owned by or leased to a person, or to an employee of the person,
468 or to an employee of a local, state or federal government unit or agency
469 located in Connecticut, are manufactured and equipped in such
470 manner as to provide a seating capacity of at least seven but not more
471 than fifteen individuals, or (B) if owned by or leased to a regional ride-
472 sharing organization in the state recognized by the Commissioner of
473 Transportation, are manufactured and equipped in such manner as to
474 provide a seating capacity of at least six but not more than nineteen
475 individuals;

476 [(100)] (101) "Vehicle" includes any device suitable for the
477 conveyance, drawing or other transportation of persons or property,

478 whether operated on wheels, runners, a cushion of air or by any other
479 means. The term does not include devices propelled or drawn by
480 human power or devices used exclusively on tracks;

481 [(101)] (102) "Vehicle identification number" or "VIN" means a series
482 of Arabic numbers and Roman letters that is assigned to each new
483 motor vehicle that is manufactured within or imported into the United
484 States, in accordance with the provisions of 49 CFR 565, unless another
485 sequence of numbers and letters has been assigned to a motor vehicle
486 by the commissioner, in accordance with the provisions of section 14-
487 149;

488 [(102)] (103) "Wrecker" means a vehicle which is registered,
489 designed, equipped and used for the purposes of towing or
490 transporting wrecked or disabled motor vehicles for compensation or
491 for related purposes by a person, firm or corporation licensed in
492 accordance with the provisions of subpart (D) of part III of this chapter
493 or a vehicle contracted for the consensual towing or transporting of
494 one or more motor vehicles to or from a place of sale, purchase,
495 salvage or repair;

496 [(103)] (104) "Public passenger endorsement" means an endorsement
497 issued to an individual, which authorizes such individual to transport
498 passengers, including, but not limited to, passengers who are students
499 in accordance with subsection (b) or (c) of section 14-36a.

500 Sec. 2. Subsection (a) of section 14-36a of the general statutes is
501 repealed and the following is substituted in lieu thereof (*Effective July*
502 *1, 2015*):

503 (a) A commercial driver's license issued in accordance with section
504 14-44c shall be designated as class A, B or C, in accordance with the
505 provisions of subsection (b) of section 14-44d. All other operators'
506 licenses shall be designated as class D. A license of any class that also
507 authorizes the operation of a motorcycle shall contain the designation
508 "M", except that no such designation shall be required for the operation
509 of an autocycle.

510 Sec. 3. Section 14-40a of the general statutes is repealed and the
511 following is substituted in lieu thereof (*Effective July 1, 2015*):

512 (a) No person shall operate a motorcycle on any public highway of
513 this state until such person has obtained a motor vehicle operator's
514 license with a motorcycle endorsement from the commissioner.

515 (b) A person who is sixteen years of age or older and who has not
516 had such a license suspended or revoked may apply to the
517 commissioner for a motorcycle instruction permit. The commissioner
518 may issue a motorcycle instruction permit, containing such limitation
519 as said commissioner deems advisable, to an applicant after the
520 applicant has passed all parts of the examination, other than the
521 driving skills test, for a motor vehicle operator's license with a
522 motorcycle endorsement as required by subsection (c) of this section.
523 The motorcycle instruction permit shall entitle the applicant, while
524 said applicant is in immediate possession of said permit, to drive a
525 motorcycle on the public highways, other than multiple lane limited
526 access highways, for a period of sixty days. A motorcycle instruction
527 permit may be renewed, or a new permit issued, for an additional
528 period of sixty days. Each applicant issued a motorcycle instruction
529 permit shall, while operating a motorcycle, wear protective headgear
530 of a type which conforms to the minimum specifications established by
531 regulations adopted under subsection (b) of section 14-289g, as
532 amended by this act.

533 (c) Before granting a motorcycle endorsement or motorcycle
534 endorsement with a three-wheeled restriction to any applicant who
535 has not held such an endorsement at any time within the preceding
536 two years, the commissioner shall require the applicant to present
537 evidence satisfactory to the commissioner that such applicant has
538 successfully completed a novice motorcycle or three-wheeled
539 motorcycle training course conducted by the Department of
540 Transportation with federal funds available for the purpose of such
541 course, or by any firm or organization that conducts such a course that
542 uses the curriculum of the Motorcycle Safety Foundation or other

543 safety or educational organization that has developed a curriculum
544 approved by the commissioner. If such applicant has not obtained a
545 motorcycle instruction permit pursuant to subsection (b) of this
546 section, the applicant shall also pass an examination, other than the
547 driving skills test, demonstrating that the applicant is a proper person
548 to operate a motorcycle, has sufficient knowledge of the mechanism of
549 a motorcycle to ensure its safe operation by such applicant, and has
550 satisfactory knowledge of the law concerning motorcycles and other
551 motor vehicles and the rules of the road. The commissioner may waive
552 the requirement of such examination for any applicant who presents
553 documentation that such applicant: (1) Is on active military duty with
554 the armed forces of the United States; (2) is stationed outside the state;
555 and (3) completed a novice motorcycle training course conducted by
556 any firm or organization using the curriculum of the Motorcycle Safety
557 Foundation not earlier than two years prior to the date of such
558 applicant's application. When the commissioner is satisfied as to the
559 ability and competency of the applicant, the commissioner may issue
560 an endorsement to such applicant, either unlimited or containing such
561 limitations as the commissioner deems advisable. An applicant who
562 has completed a three-wheeled motorcycle training course shall be
563 limited to an endorsement with a restriction, as provided in subsection
564 (c) of section 14-36a, indicating that such applicant is limited to the
565 operation of a three-wheeled motorcycle. If an applicant or motorcycle
566 endorsement holder has any health problem which might affect such
567 person's ability to operate a motorcycle safely, the commissioner may
568 require the applicant or endorsement holder to demonstrate personally
569 that, notwithstanding the problem, such person is a proper person to
570 operate a motorcycle, and the commissioner may further require a
571 certificate of the applicant's condition, signed by a medical authority
572 designated by the commissioner, which certificate shall, in all cases, be
573 treated as confidential by the commissioner. An endorsement,
574 containing such limitation as the commissioner deems advisable may
575 be issued or renewed in any case, but nothing in this section shall be
576 construed to prevent the commissioner from refusing an endorsement,
577 either limited or unlimited, to any person or suspending an

578 endorsement of a person whom the commissioner deems incapable of
579 safely operating a motorcycle.

580 (d) No person shall operate a motorcycle in any manner in violation
581 of the limitations imposed in a limited endorsement issued to such
582 person.

583 (e) Any person who violates any provision of subsection (a), (b) or
584 (d) of this section shall, for a first offense, be deemed to have
585 committed an infraction and be fined fifty dollars and, for any
586 subsequent offense, be guilty of a class D misdemeanor.

587 (f) As used in this section, the terms "motorcycle" and "three-
588 wheeled motorcycle" do not include "autocycle", as defined in section
589 14-1, as amended by this act.

590 Sec. 4. Section 14-106b of the general statutes is repealed and the
591 following is substituted in lieu thereof (*Effective July 1, 2015*):

592 (a) Each self-propelled motor vehicle registered in this state
593 designed and manufactured with an odometer shall at all times while
594 operating on the highway be equipped with a properly functioning
595 odometer. Any person who violates any provision of this section shall
596 be issued a warning for defective equipment under the provisions of
597 subsection (c) of section 14-103.

598 (b) No person or his agent shall remove, turn back or change the
599 reading on the odometer of any motor vehicle required under the
600 provisions of subsection (a) of this section or subsection (a) of section
601 14-106a to be equipped with an odometer except in connection with
602 the repair of such odometer either while installed in or removed from
603 such motor vehicle and unless such person is licensed as a new dealer,
604 used dealer or general or limited repairer pursuant to section 14-52.
605 Each odometer repaired and each new or used odometer installed in
606 any motor vehicle required to be equipped with an odometer shall
607 display mileage at least equal to the mileage displayed by the
608 odometer in such motor vehicle immediately prior to such repair or

609 replacement.

610 (c) No person shall sell, offer for sale, use, install or cause to be
611 installed any device which causes the odometer in any motor vehicle
612 required under the provisions of subsection (a) of this section or
613 subsection (a) of section 14-106a to be so equipped to register any
614 mileage other than the true mileage driven. For purposes of this
615 section, the true mileage driven is that mileage driven by the vehicle as
616 registered by the odometer within the manufacturer's designed
617 tolerance.

618 (d) Any person violating the provisions of subsections (b) or (c) of
619 this section shall be guilty of committing a class A misdemeanor. Any
620 person violating the provisions of said subsections shall be liable for
621 damages equal to three times the amount of actual damage or one
622 thousand five hundred dollars, whichever is greater, court costs and
623 reasonable attorney's fees and shall pay a civil penalty of not more
624 than one thousand dollars for each violation. A violation of the
625 provisions of said subsections shall be deemed to be an unfair trade
626 practice within the provisions of chapter 735a. Any person licensed as
627 a new dealer, used dealer or general or limited repairer pursuant to
628 section 14-52 shall in addition to the penalties imposed by this section
629 be subject to the suspension or revocation of his license as provided in
630 section 14-64.

631 [(e) The provisions of this section and section 14-145 shall not apply
632 to motorcycles as defined by section 14-1.]

633 Sec. 5. Subsection (e) of section 14-286 of the general statutes is
634 repealed and the following is substituted in lieu thereof (*Effective July*
635 *1, 2015*):

636 (e) As used in this section: (1) "Sidewalk" means any sidewalk laid
637 out as such by any town, city or borough, and any walk which is
638 reserved by custom for the use of pedestrians, or which has been
639 specially prepared for their use. "Sidewalk" does not include
640 crosswalks and does not include footpaths on portions of public

641 highways outside thickly settled parts of towns, cities and boroughs,
642 which are worn only by travel and are not improved by such towns,
643 cities or boroughs or by abutters; (2) "bicycle" includes all vehicles
644 propelled by the person riding the same by foot or hand power; and
645 (3) "motor-driven cycle" means any motorcycle other than an
646 autocycle, motor scooter or bicycle with an attached motor with a seat
647 height of not less than twenty-six inches and a motor having a capacity
648 of less than fifty cubic centimeters piston displacement.

649 Sec. 6. Section 14-289a of the general statutes is repealed and the
650 following is substituted in lieu thereof (*Effective July 1, 2015*):

651 (a) A person operating a motorcycle shall ride only upon the
652 permanent and regular seat attached thereto, and such operator shall
653 not carry any other person nor shall any other person ride on a
654 motorcycle unless such motorcycle is properly equipped to carry more
655 than one person, in which event a passenger may ride upon the
656 permanent and regular seat if designed for two persons, or upon
657 another seat firmly attached to the rear or side of the operator. No
658 operator of a motorcycle who has not held an endorsement to operate
659 a motorcycle for a period of three months shall carry any other person
660 on such motorcycle, except that any operator sixteen or seventeen
661 years of age shall not transport any passenger on a motorcycle for a
662 period of six months after obtaining such endorsement.

663 (b) As used in this section, the term "motorcycle" shall not include
664 "autocycle", as defined in section 14-1, as amended by this act, except
665 that an operator of an autocycle who is sixteen or seventeen years of
666 age shall be subject to all passenger restrictions contained in section 14-
667 36g.

668 (c) Violation of any provision of this section shall be an infraction.

669 Sec. 7. Subsection (b) of section 14-289b of the general statutes is
670 repealed and the following is substituted in lieu thereof (*Effective July*
671 *1, 2015*):

672 (b) The operator of a motorcycle shall not (1) overtake and pass, in
673 the same single traffic lane occupied by such motorcycle, any motor
674 vehicle other than a motorcycle or (2) operate a motorcycle between
675 lanes of traffic. An autocycle shall not overtake and pass any motor
676 vehicle operating in the same single traffic lane occupied by such
677 autocycle.

678 Sec. 8. Section 14-289f of the general statutes is repealed and the
679 following is substituted in lieu thereof (*Effective July 1, 2015*):

680 No owner of any motorcycle, as defined in section 14-1, as amended
681 by this act, registered in this state may operate or permit the operation
682 of such motorcycle unless it has been insured for the amounts required
683 by section 14-112, [with an exclusion in] and, except in the case of
684 autocycles, such insurance may exclude personal injury coverage for
685 passengers. Violation of any provision of this section shall be an
686 infraction.

687 Sec. 9. Section 14-289g of the general statutes is repealed and the
688 following is substituted in lieu thereof (*Effective July 1, 2015*):

689 (a) No person under eighteen years of age may (1) operate a
690 motorcycle or a motor-driven cycle, as defined in section 14-1, as
691 amended by this act, or (2) be a passenger on a motorcycle or motor-
692 driven cycle, unless such operator or passenger is wearing protective
693 headgear of a type which conforms to the minimum specifications
694 established in 49 CFR 571.218, as amended from time to time. Any
695 person who violates this section shall have committed an infraction
696 and shall be fined not less than ninety dollars.

697 (b) As used in this section, the term "motorcycle" shall not include
698 "autocycle".

699 Sec. 10. Subdivision (82) of section 12-412 of the general statutes is
700 repealed and the following is substituted in lieu thereof (*Effective July*
701 *1, 2015*):

702 (82) (A) The sale of and the storage, use or other consumption of any

703 commercial motor vehicle, as defined in [subparagraphs (A) and (B) of
 704 subdivision (15) of] section 14-1, as amended by this act, that is
 705 operating pursuant to the provisions of section 13b-88 or 13b-89,
 706 during the period commencing upon its purchase and ending one year
 707 after the date of purchase, provided seventy-five per cent of its
 708 revenue from its days in service is derived from out-of-state trips or
 709 trips crossing state lines.

710 (B) Each purchaser of a commercial motor vehicle exempt from tax
 711 pursuant to the provisions of this subsection shall, in order to qualify
 712 for said exemption, present to the retailer a certificate, in such form as
 713 the commissioner may prescribe, certifying that seventy-five per cent
 714 of such vehicle's revenue from its days in service will be derived from
 715 out-of-state trips or trips crossing state lines. The purchaser of the
 716 motor vehicle shall be liable for the tax otherwise imposed if, during
 717 the period commencing upon its purchase and ending one year after
 718 the date of purchase, seventy-five per cent of the vehicle's revenue
 719 from its days in service is not derived from out-of-state trips or trips
 720 crossing state lines.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	14-1
Sec. 2	July 1, 2015	14-36a(a)
Sec. 3	July 1, 2015	14-40a
Sec. 4	July 1, 2015	14-106b
Sec. 5	July 1, 2015	14-286(e)
Sec. 6	July 1, 2015	14-289a
Sec. 7	July 1, 2015	14-289b(b)
Sec. 8	July 1, 2015	14-289f
Sec. 9	July 1, 2015	14-289g
Sec. 10	July 1, 2015	12-412(82)

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Department of Motor Vehicles	TF - Revenue Gain	less than \$10,000	less than \$10,000
Resources of the General Fund	GF - Potential Revenue Gain	Less than 10,000	Less than 10,000

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

The Out Years

The bill allows the Department of Motor Vehicles to register autocycles and requires an individual to acquire a motorcycle endorsement in order to operate the autocycle. This is anticipated to result in a revenue gain to the Special Transportation Fund of less than \$10,000 due to: (1) an increase in registration fees and (2) an increase in motorcycle endorsement fees. It is uncertain how many autocycles will be registered each year.

The bill also results in a potential revenue gain of less than \$10,000 by expanding some motorcycle violations to include autocycles and, on one specific instance, motor-driven cycles. In FY 14, there were 304 violations that resulted in total fine revenue of \$30,553.

Lastly, the bill exempts commercial motor vehicles that carry certain hazardous materials from the sales and use tax for one year from purchase if 75% of the vehicles revenue is derived from trips (1) out-of-state or (2) crossing state lines. In order to be eligible for the

exemption, the vehicles must also be operating pursuant to the state laws governing interstate motor buses.

It is not anticipated that vehicles transporting hazardous materials would be purchased to operate as interstate motor buses transporting passengers. There is therefore no anticipated revenue loss.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future dependent on to the number of autocycles in Connecticut.

Sources: Judicial Department Offenses and Revenue Database

OLR Bill Analysis**sSB 936*****AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES' RECOMMENDATIONS WITH RESPECT TO AUTOCYCLES AND THREE-WHEELED MOTORCYCLES.*****SUMMARY:**

This bill allows (1) the Department of Motor Vehicles (DMV) to register autocycles and (2) drivers to operate autocycles without obtaining a special license endorsement. An autocycle is a three-wheeled vehicle, which the bill defines as a type of motorcycle (but which differs from three-wheeled motorcycles, which DMV already registers). The bill expands the definition of motorcycle and applies to autocycles some of the laws that apply to motorcycles.

It also:

1. creates a license endorsement that allows people to drive three-wheeled, but not two-wheeled, motorcycles;
2. requires passengers under age 18 to wear helmets when riding on (a) motorcycles, (b) motor scooters, or (c) bicycles with attached motors, when these vehicles have motors that displace less than 50 cubic centimeters;
3. subjects motorcycles, including autocycles, to laws on odometer tampering and towing from private property; and
4. extends a sales and use tax exemption to certain commercial motor vehicles that carry hazardous waste.

It also makes minor and conforming changes.

EFFECTIVE DATE: July 1, 2015

AUTOCYCLES

Definition

Under the bill, an “autocycle” is a motor vehicle with up to three wheels that (1) is designed to be controlled with a steering wheel and foot pedals, (2) has partially or fully enclosed seats in which occupants sit with their legs extended, and (3) has seat belts. Autocycles must meet federal motorcycle safety standards (49 CFR § 571).

Under current law, a motorcycle has up to three wheels and a (1) saddle or seat on which a rider sits or (2) platform on which he or she stands. The bill (1) classifies autocycles as a type of motorcycle and (2) refines the definition of motorcycles to distinguish them from autocycles.

Accordingly, the bill (1) specifies that a motorcycle rider must straddle the saddle or seat on which he or she sits; (2) adds a requirement that a rider uses handlebars to control a motorcycle; and (3) includes as motorcycles vehicles that have, or are designed to have, a completely enclosed driver’s seat and a motor that is not in the enclosed area.

Laws Applying to Autocycles

The bill allows autocycle drivers to operate autocycles with a standard “class D” driver’s license. It specifically subjects autocycles and their drivers to certain motor vehicle laws. Specifically, it:

1. prohibits autocycle drivers from overtaking and passing a motor vehicle operating in the same single traffic lane in which the autocycle is driving;
2. allows autocycle operators to carry passengers, but subjects 16- and 17-year-old autocycle drivers to the same passenger restrictions that would apply if they were driving other motor vehicles and for which a violation is an infraction (e.g., not driving between 11 p.m. and 5 a.m. and not transporting passengers for six months after getting a driver’s license) ; and

3. requires autocycle owners to have motor vehicle insurance that includes personal injury coverage for passengers.

Laws Applying to Motorcycles and Autocycles

The bill applies existing laws to operators of both autocycles and motorcycles (including three-wheeled motorcycles). Specifically, it:

1. requires them to be equipped with a properly functioning odometer and applies existing criminal penalties to anyone who removes or tampers with the odometer or sells or installs a device that gives a false mileage reading (see BACKGROUND) and
2. applies to motorcycles existing laws on the towing of motor vehicles from private property.

Laws Applying to Motor-Driven Cycles

The bill requires passengers on motor-driven cycles who are younger than 18 to wear a motorcycle helmet. Current law requires anyone under age 18 to wear a helmet when he or she operates (1) or is a passenger on a motorcycle or (2) a motor-driven cycle. Failure to do so is an infraction punishable by a fine of at least \$90. The bill specifically exempts autocycle operators and passengers from this requirement.

By law, a motor-driven cycle is any of the following with a seat at least 26 inches high and a motor displacing less than 50 cubic centimeters: a (1) motorcycle (but not an autocycle), (2) motor scooter, or (3) bicycle with attached motor.

THREE-WHEELED MOTORCYCLE ENDORSEMENT AND TESTING

By law, anyone operating a motorcycle must have an “M” endorsement on his or her driver’s license and pass an authorized novice motorcycle training course conducted by the Department of Transportation (DOT) or a firm or organization using a DOT-approved curriculum, such as one offered by the Motorcycle Safety Foundation.

Under the bill, to drive a three-wheeled motorcycle, individuals must take a three-wheeled motorcycle training course offered by DOT or a firm or organization using a DOT- approved curriculum. An individual who successfully completes such a course will receive a restricted “M” endorsement that allows him or her to drive three-wheeled, but not two-wheeled, motorcycles. (As noted above, a driver does not need a motorcycle endorsement to operate an autocycle.)

SALES AND USE TAX

By law, the sale or use of certain commercial motor vehicles (large buses) that operate under laws governing interstate buses is exempt from the sales or use tax for one year from purchase if 75% of the vehicle’s revenue is derived from trips (1) out of state or (2) crossing state lines. The bill also exempts commercial motor vehicles carrying (1) hazardous material for which federal law requires they carry placards (49 CFR 172 Subpart F) or (2) federally listed agents or toxins (42 CFR 73). It is not clear how these vehicles would operate under laws governing interstate motor buses.

BACKGROUND

Odometer Tampering

By law, anyone who operates a motor vehicle without a properly functioning odometer may receive a warning from police for defective equipment (CGS § 14-103 (c)). Anyone who removes or tampers with an odometer or installs a device that causes the odometer to register a false mileage reading commits a class A misdemeanor, punishable by a fine of up to \$2,000, one year in prison, or both. A person who violates the law also is liable for triple damages, or \$1,500, whichever is greater, court costs, and reasonable attorney’s fee, and a civil penalty of up to \$1,000 for each violation. A violation is also an unfair trade practice (CGS § 14-106b).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/18/2015)